

INDIANA LEGISLATURE.

Reported for the State Sentinel.



Senate.
THURSDAY, Dec. 24, 1846.

Senate met. Petitions Presented.

By Messrs. Rockhill, Orth, Clements, and Logan; referred.

Reports from Standing Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.

By Mr. Osborn, from the same committee, relative to guardians of insane persons, with amendments.

By Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to limiting the duties of county Auditors.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Robinson, a bill to amend the charter of the Milford and Columbus Railroad.

By Mr. Winchell, a bill divorcing James D. Roberts.

Bills Introduced.

By Mr. Milliken, incorporating a seminary in the town of Aurora.

By Mr. Winchell, divorcing M. J. Thompson.

By Mr. Stockwell, extending the time of holding Probate courts in the county of Vanderburgh.

By Mr. Orth, to legalize the transfer of certain canal lands; passed.

By Mr. Robinson, concerning elections in Decatur county.

Land was granted to Mr. Holloway to introduce a bill; and on motion, giving to Wm. H. Churchman, 100 copies of the report of the Trustees of the Blind Asylum; adopted.

By Mr. Davis, enabling executors and administrators to settle real estates of decedents.

Orders of the day. Bills Passed.

A bill incorporating "The Cliffs Band, and Mooreville Musical Institute," in Dearborn county.

A bill authorizing the Superintendent of the Vincennes and New Albany road, to build bridges thereon.

Leave was granted to Mr. Orth to introduce a bill for the relief of Andrew W. Baker, and Rosanna, his wife; referred to the judiciary committee.

A bill incorporating "The Lafayette Hydraulic Company."

A bill securing to Ohio county a share of the common school fund.

A bill for the relief of David Burr.

A bill relative to certain school districts in Hendricks county.

A bill changing the mode of doing county business in the county of Decatur.

A bill on the subject of the construction and improvement of the harbors on the Lakes, was read the second time. On the question of its engrossment.

Mr. Osborn moved to indefinitely postpone the bill.

He informed the resolution had been so drawn, that part could not be embraced in the engrossment. He wished to show to the powers at Washington, the unified voice of the people of Indiana on this subject.

He regretted that it was not carried out on its merits. What does it signify if there had existed once a party called Federalist, now dissolved? Could he not be excused from following in the wake of Benton? Gentlemen had spoken of Pogue's Run, and of its improvement. He knew nothing of it. It might connect mighty cities—it might connect the commerce of States—it might form the boundaries of States.

Mr. Orth: "Pogue's Run?"

Mr. Osborn: "Pogue's Run, yes, he knew something of Pogue's Run, on the mighty Lake Michigan. The widow of the last, I should know of it; yes, there were many who knew of Pogue's Run, who had suffered because of the veto of the President."

He did not wish merely to have Lake Michigan harbors improved, but also what perhaps might be called Pogue's Run.

Mr. Edmonson was understood to say, suppose Mr. Cathcart was elected upon the question of the improvement of our harbors, why should the Senate be called upon to express their opinion in the matter—to endorse the election of Mr. Cathcart? If this was the intention, he was ready to act upon the matter at all times, but would prefer to end over with a full Senate was had.

Mr. Handy withdrew his motion.

And Mr. Berry of F. moved an amendment.

Mr. Osborn then moved to draw up the resolution, he tried to accommodate all parties; would prefer that the amendment would not be adopted. After reading the clause of the constitution, giving power to Congress to regulate commerce among the States, he wished to know if the improvement of harbors was not therein included, provided, the power was intended for national importance.

He repeated that it was a self-existent fact, that it was a constitutional power vested in Congress for the improvement of our harbors, and the removal of obstructions in rivers.

Mr. Edmonson gave the gentlemen who had just taken his seat, full credit for the ingenuity of his measure, and his argument. He thought it was intended as a means of having the Senate make a show of a charge of inconsistency in the democratic party. A very pretty way of drawing Senators into a snare. Why this attempt?—there had been no inconsistency in the course of the President, with that of his predecessors? The President had voted the bill down, and it was defeated.

The general government had a right to make improvements in the public streams and Lakes, that were of great national importance. But he would not vote for the resolution as it was carried out without the other?

Mr. Reade remarked, that if the people of the North did not approve of the veto of the President of the harbor bill, it was different with his people. That harbor bill included streams that were clearly not of national importance; that was the reason of the approval of his people of the bill.

The question then was taken, and the ayes and nays being called, the result was as follows:

AYES—Messrs. Berry of F., Berry of M., Coats, Cuyper, Day, Edmonson, English, Green, Handy, Hardin, Henry, Howell, Logan, Marsh, Miller, Mulligan, Mulkin, Orth, Osborn, Robinson, Simpson, Winchell, and Waterman; 32.

No—Messrs. Allison, Beard, Bowers, Bradbury, Clegg, Clowens, Coffin, Davis, Ellis, Gossow, Hause, Haworth, Holloway, Morgan, Moxham, Moyer, Orth, Osborn, Robinson, Simpson, Winchell, and Waterman; 22.

So the same was referred to the committee on federal relations.

Mr. Clements then moved certain instructions as follows:

"That the rivers and lakes of the West, which have been, or may hereafter, be navigated by shipping or steamboats, are of national importance."

On motion, the instructions were laid on the table.

Leaving granted, Mr. Rockhill made a report, incorporating the bill of the Foreign Female College; referred to the committee on corporations.

Mr. Osborn moved to reconsider the vote taken on the resolution, as amended, relative to the adjournment of the Senate on Saturday next; not adopted.

The resolution then was amended, and the question on its adoption, negatived.

Bills passed.

A bill to extend the time of holding probate courts in Vanderburgh county.

Senate adjourned until to morrow morning, at 9 o'clock.

home. He thought it wrong to keep members here in idleness who lived far from home.

Mr. Robinson wished the Senate to adjourn. The greater number of the members could go home and know the opinions of their constituents relative to matters before the Legislature. He preferred Monday to Saturday. He objected to calling the ayes and nays on the resolution. The object of the purpose of making political capital. There could be no utility in it, and it was abounding room for fainting.

Mr. Miller called for the sealing of the resolution and the proposed amendment. The ayes and nays were then taken on the amendment and resulted ayes 27, nays 15.

Mr. Robinson then moved to lay the resolution on the table; adopted.

The President laid before the Senate, a communication from the State Librarian; referred to the committee on the State Library.

Mr. Ellis moved to reconsider the reference; not adopted.

The debate on the question by the Senate before the adjournment, was as follows, as taken in the minutes:

Mr. Read said he felt himself called upon to answer a few interrogatories by the gentleman from Floyd. He was the same James G. Read, and he was the same man who was a candidate for Governor of this State, and who was defeated.

If he had been elected, he thought the State would not have been much more in debt than she is now; and she was in a state of, be it might say, eternal bankruptcy.

Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to guardians of insane persons, with amendments.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.

By Mr. Osborn, from the same committee, relative to guardians of insane persons, with amendments.

By Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to limiting the duties of county Auditors.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.

By Mr. Osborn, from the same committee, relative to guardians of insane persons, with amendments.

By Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to guardians of insane persons, with amendments.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.

By Mr. Osborn, from the same committee, relative to guardians of insane persons, with amendments.

By Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to guardians of insane persons, with amendments.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.

By Mr. Osborn, from the same committee, relative to guardians of insane persons, with amendments.

By Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to guardians of insane persons, with amendments.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.

By Mr. Osborn, from the same committee, relative to guardians of insane persons, with amendments.

By Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to guardians of insane persons, with amendments.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.

By Mr. Osborn, from the same committee, relative to guardians of insane persons, with amendments.

By Mr. Holloway, from the same committee, reporting it inexpedient to pass a law for the election of persons for the settlement of decedents' estates.

By Mr. Davis, a bill for the relief of the heirs of the late Gen. R. McCarty.

By Mr. Henry, from the same committee, in reference to guardians of insane persons, with amendments.

By Mr. Clements, from the same committee, a bill to vacate offices when the officer becomes insane.

By Mr. Robinson, from the same committee, a bill relative to the election of members.

The President read before the Senate a communication from the general Superintendent of the Wabash and Erie canal; and on motion, it was laid on the table.

Reports from Select Committees.

By Mr. Orth, of the Judiciary committee, reporting back the bill relative to issuing patents for sale of canal lands, and recommending its indefinite postponement; construed.